



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 07/26/01

Agenda Item 1

TO: Planning Commission

FROM: Arlynne J. Camire, Associate Planner
Tim R. Koonze, Development Services Specialist

SUBJECT: Planned Development No. 2001-0135 and Tentative Tract Map 7215 - Warraich Construction (Applicant/Owner): Request to construct six townhouses at the corner of Dixon Street and Valle Vista Avenue. *The project is located at 308 Valle Vista Avenue in a RH (High Density Residential) District*

RECOMMENDATION

It is recommended that the Planning Commission:

1. Find that the project is categorically exempt from California Environmental Quality Act review, pursuant to Section 15332 of the Guidelines;
2. Approve the planned development application subject to the attached findings and conditions of approval; and
3. Approve Tentative Tract Map 7215 subject to the attached findings and conditions of approval.

DISCUSSION

Project Description

The project consists of six attached two-story townhouses on separate parcels with 3 bedrooms above the main living area and a garage. The 16,000 square-foot parcel is located on the northeast corner of Valle Vista Avenue and Dixon Street approximately 800 feet north of the South Hayward BART Station. The existing single-family home is to be removed. The prominent zoning surrounding the site is High Density Residential (RH) in an area with the General Plan land use designation of High Density Residential (HDR).

The units located on either end of the building are larger units and contain two-car garages while the 4 interior units contain one-car garages. Nine uncovered parking spaces have been provided. Each unit contains space for laundry facilities.

Architecture

The six-unit stucco building is contemporary in design with a terra-cotta Spanish tile hip roof accented with several smaller hip roofs located above the front and rear decorative metal balconies. The balconies are located above the main entrance of the end units located on, above the patios of the middle four units and to the rear above the roll-up garage doors. All main entrances are on Dixon Street.

The windows and sliding glass doors that lead to the balconies of the end units are accented with faux shutters. The entries of the 4 middle units are recessed only 2 feet with 2-foot overhangs and the entries of the end units are not recessed. Staff suggests that the applicant redesign the entries to provide distinctive covered porches to match the middle two units and raised planters to be located under the front windows of the end units. In addition, staff suggests relocating the front main entry of the end unit to the Valle Vista Avenue frontage. The sides of the building are mostly flat façades that contain framed windows, a dining room bay window, a garden kitchen window and a foam trim band running from the front of the building to the rear below the deck. These features and the relocation of the main entry to the Valle Vista Avenue frontage will reduce the bulkiness and will result in an attractive façade.

The applicant proposes to paint the building greystone with coffee trim. The roll-up garage doors will be painted coffee. The metal entry doors and balconies of all the units are to be painted dark cherry. Staff believes that the colors are not compatible with the terra cotta Spanish roof tile and suggests a color pallet that is compatible by replacing the basic wall color gray with an earthtone. A condition of approval requires submittal of the colors for final approval by the Planning Director.

Open Space

Adequate private and group open space has been provided. The end units have a 200-square-foot uncovered rear deck where 60 square feet is required. Each of the middle units has a rear balcony/deck that is 120 square feet in area. Ground-floor open space located in the front of the 4 middle units is in a 60 square-foot covered patio area and a 60-square-foot covered balcony.

Approximately 1,200 square feet of outdoor group open space has been provided to at the rear of the property. This area contains a center paved area, turf, and a picnic table. Staff suggests that barbeques be provided in the paved area and that 2 more tables be provided.

Landscaping

The applicant has provided a preliminary landscape plan. The site will have a total of 12 trees, seven of which will be street trees. The Valle Vista Avenue frontage will have a landscaped parkway. The Dixon Street frontage, which contains the majority of the unit entries, will have raised planters and a concrete walkway with a circular paved area adjacent to 2 middle units.

Staff suggests that the circular paved area be replaced by a square area with a center-raised planter. As a condition of approval, detailed plans are required to be submitted for review and approval.

Tentative Tract Map

The tentative tract map subdivides the 16,000-square-foot site into 6 townhouse parcels and one parcel that encompasses the common area for a total of 7 parcels. A townhouse subdivision differs from a condominium subdivision. Within a condominium subdivision an individual owns the air space within a unit but the building(s) and all the land within the subdivision are under common ownership. A townhouse subdivision allows an owner to own the building, a small plot of land under the building, and usually a patio area; the remaining land is under the common ownership of all owners within the subdivision. Both require the formation of a homeowners association and the creation of Conditions, Covenants and Restrictions (CC&R's). Because the lots created are smaller than what is allowed by the Zoning Ordinance a Planned Development application must be processed in lieu of a site plan review application.

There are existing utilities available in both Valle Vista Avenue and Dixon Street to adequately serve this project. Both streets are at the ultimate street width and are fully improved. Some of the existing street improvements need to be repaired and a condition of approval has been added to ensure these repairs are performed prior to the City accepting the subdivision improvements as being complete.

ENVIRONMENTAL REVIEW:


The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15332, In-Fill Development Projects.

PUBLIC NOTICE:

On August 20, 2000 a notice, advertising a preliminary meeting, was mailed to every property owner and occupant within 300 feet of the subject site. No one attended the meeting and no responses were received.

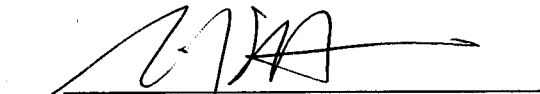
On July 16, 2001, a notice of this public hearing was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records and to the Mission-Garin Neighborhood Task Force.

Prepared by:


for Arlynne J. Camire, AICP
Associate Planner

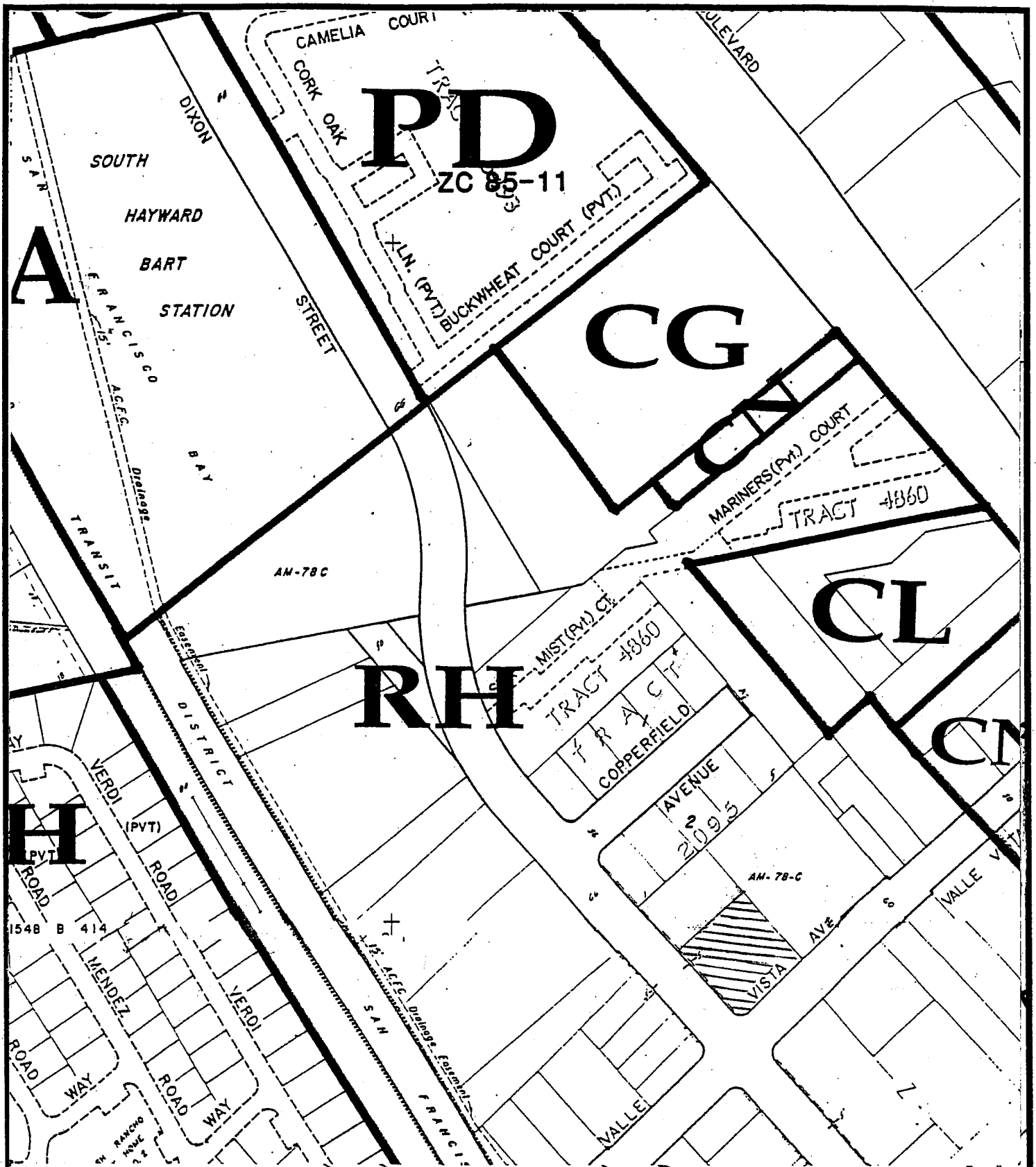

Tim R. Koonze
Development Services Specialist

Recommended by:


for Dyana Anderly, AICP.
Planning Manager

Attachments:

- A. Area Map
- B. Findings for Approval of Zone Change PL2001-0135
- C. Conditions of Approval for Zone Change PL2001-0135
- D. Findings for Approval for Tentative Map Tract 7215
- E. Conditions of Approval for Tentative Map Tract 7215
- Zone Change Plans
- Tentative Tract Map



AREA MAP

Planned Development No. 2001-0135
And
Tentative Tract Map 7215

ATTACHMENT A

Zone Change Application No. PL2001-0135
Warraich Construction (Applicant/Owner)
Findings For Approval

- A. The development is compatible with surrounding structures and uses in that this is a multi-family project adjacent to medium and high-density development.
- B. The development takes into consideration physical and environmental constraints, in that the homes will be constructed with 10-foot side yards and shared driveways to reduce impermeable surfaces.
- C. The development complies with the intent of City development policies and regulations of the Mission-Garin Neighborhood Plan and the City of Hayward Design Guidelines, in that it is infill development that is consistent in size, scale and appearance with existing residential structures and encourages owner-occupied housing.
- D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development, in that building code requirements will be met and restrictions on the properties will address shared use of driveways.

Zone Change Application No. 2001-0135
Warraich Construction (Applicant/Owner)
Conditions Of Approval

General

1. The proposed improvements shall be constructed and installed according to the plans labeled Exhibit "A", except as required to be modified by these conditions of approval. This approval is void one year after the effective date of approval unless prior to that time a building permit has been accepted by the City of Hayward Building Official to construct the project. Any modifications to the approved plans or conditions shall require prior review and approval from the Planning Director.
2. Prior to final inspection of the townhouses or occupancy (whichever occurs first), all improvements and conditions of approval shall be completed to the satisfaction of the Planning Director.
3. Upon application for a building permit, show elevations of top of curb, pavement and grade breaks; show location of water services and sewer laterals with a minimum separation of 6 feet; show water meters a minimum of 2 feet clear of top of driveway flare.
4. Before approval of the first building permit, the applicant shall provide a joint maintenance agreement in a format acceptable to the Planning Director, such as a deed restriction or covenant.

Fire Department

5. The building occupancy classification shall be "R-3" for the townhouses.
6. Each unit shall be separated by one-hour minimum construction, including the attic.
7. Garages shall meet construction separation requirements per 1998 Uniform Building Code.
8. Each unit shall be fire sprinklered per NFPA 13-D Standards (Modified) to include garages and attic spaces. A local alarm bell shall be installed at each unit in an approved location by the Fire Department.
9. Smoke detectors required per the Uniform Building Code.

10. Addresses for each unit shall be 4 inches minimum (internally illuminated) or 6-inches (non-illuminated) and shall be visible from the street.

Utilities

11. Provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per municipal Code 11-2.02.1.
12. Only water Distribution Personnel shall perform operation of valves on the Hayward Water System.
13. Water and sewer service available subject to standard conditions and fees in effect at time of application.
14. Development to be served by radio read meters.

Miscellaneous

15. Each unit shall be equipped with security lighting over the garage. The lighting fixture to be approved by the Planning Director.
16. The front door of each unit shall be equipped with a 180-degree security viewfinder.
17. The standard conditions of approval for new demolition or construction projects for solid waste services must be complied with. They include specific requirements relating to container selection and sizing, collection vehicle access, and construction and demolition waste management plan.

Architecture & Site Planning

18. Revised plans shall be submitted for the review and approval of the Planning Director. The submittal shall adhere to the following information and additional design and performance standards:
 - a. All water heaters shall be removed from the required covered parking area and relocated to the interior of the unit;
 - b. The front entry door on the north side of the building shall be relocated to the Dixon Street frontage;
 - c. All entries shall be redesigned to be more distinctive, be recessed at least 4 feet and have a Spanish terra cotta tile entry canopy;
 - d. Spanish terra cotta tile shall be the approved roofing material. Highly reflective wall materials shall be prohibited. Plans shall avoid the use of "highly reflective roof or wall materials" and "bright or harshly contrasting colors for walls and trim";

- e. The Planning Director shall approve the colors and materials for townhouses and the trash enclosure. Colors that are compatible with the Spanish terra cotta tile roof shall be used. The Planning Director shall approve the colors and materials of the structures prior to the issuance of the building permit.
- e. Building exteriors shall utilize high quality durable materials and architectural composition shingles shall be used. All materials are to be approved by the Planning Director prior to the issuance of a building permit;
- f. Each sectional garage door shall be equipped with an automatic garage door opening mechanism;
- g. Window shutter element shall be wider;
- h. Front yard driveway aprons and walkways shall utilize a decorative concrete surface finish, such as exposed aggregate or other quality finish;
- i. Above ground utility meters shall be screened by plant material or other approved material and shall provide sufficient distance for reader access;
- j. The structures shall comply with the City's Building Security Ordinance;
- k. All one-car garages shall have the interior dimensions of 11 feet wide and 19 feet deep. Both two-car garages shall have the interior dimensions of 20 feet wide and 19 feet deep.

Landscaping

- 19. Prior to issuance of a building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*.
- 20. Additional raised planter shall be provided under windows on both the Valle Vista Avenue and the Dixon Street frontages, and under the windows at the rear of the 4 middle units. In addition, a raised planter shall be provided in the square walkway element on the Dixon Street frontage.
- 21. The mailboxes for all units shall be located in a central location. A decorative shelter shall be provided to the satisfaction of the Post Master. The Planning Director shall approve the design.
- 22. Three barbeques and three picnic tables shall be provided within the group open space located at the rear of the property.
- 23. The following requirements shall apply:
 - a. The irrigation system shall include an automatic controller;
 - b. Front and side street yards shall be limited to a maximum of 50 percent fescue turf;
 - c. A hose bib shall be provided in the front and rear yard of each unit.

24. Landscaping shall be maintained in a healthy, weed-free, condition at all times, with replacement plants provided where necessary. Required street and on-site trees that are severely topped or pruned shall be immediately replaced, as determined by the City Landscape Architect. Landscape shall be maintained in accordance with the approved landscape plan.

Fences

25. A six-foot high redwood fence shall be provided at the property lines shared with adjacent residential properties.

FINDINGS FOR APPROVAL
TENTATIVE TRACT MAP 7215

1. The approval of Tentative Map Tract 7215, as conditioned, will have no significant impact on the environment, cumulative or otherwise. The project is exempt from California Environmental Quality Act (CEQA) under Section 15332, In-fill Developments”.
2. The tentative parcel map substantially conforms to the State Subdivision Map Act, the City’s Subdivision Regulations, the General Policies Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

**CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP 7215**

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

PRIOR TO THE RECORDATION OF THE FINAL MAP

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

Interior Private Street

1. The private street shall be constructed to public street standards.
2. The driveway approach shall be a minimum 26-feet-wide and designed to meet City of Hayward Standard SD-110 (six-foot-flares).
3. The entrance shall be paved with decorative stamped colored concrete, or bands of decorative paving. The Director of Community and Economic Development/Planning Director shall approve the material, color and design.
4. The onsite streetlights and pedestrian lighting shall have a decorative design approved by the Director of Community and Economic Development/Planning Director and the City Engineer.

Storm Drainage

5. The subdivision storm drain system shall be a private system owned and maintained by the homeowners association.

6. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the City Engineer.
7. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff.
8. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
9. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
10. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
11. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

12. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application.
13. The on-site sanitary sewer system shall be a public 8-inch building court main, designed in accordance with the City of Hayward standard details.
14. Each unit shall have a separate sanitary sewer lateral.

Water System

15. Water service is available subject to standard conditions and fees in effect at the time of application.

16. The water service shall include a multiple meter manifold designed per City of Hayward Standard Detail SD-219. The manifold location shall be approved by the City Engineer.
17. Each unit shall be individually metered. The developer shall install individual radio read water meters.

Utilities

18. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, Pacific Bell Company and TCI Company regulations, including transformers.
19. Street lighting shall be installed on both street frontages in accordance with City of Hayward Standard Detail SD-120. The location of the street lights shall be approved by the City Engineer.
20. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the 6-foot-wide Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
21. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Landscaping and Irrigation

22. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
23. Minimum 24" box trees shall be planted along the property frontage. The City's Landscape Architect shall approve the type, number, and location of these trees.
24. Construct Class B Portland Cement concrete curbs to a height of 6-inches above the finished pavement anywhere landscaped areas adjoin driveway and parking areas.
25. Landscape plans shall specify site amenities such as benches, tables, fencing, play equipment and barbecues for the common open space areas.
26. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private terrace.

Walls and Trellises and Entry Features

27. All proposed retaining walls shall be constructed with decorative reinforced concrete.

Dedications, Easements and Encroachment Permits

28. The final map shall reflect:

- a. Dedication of a six-foot-wide public utility easement (PUE) abutting both street frontages.

Conditions, Covenants, and Restrictions

29. Prior to the sale of any individual unit, or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private street, common area landscaping and open space amenities and CC&R's prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:

- a. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
- b. A reserve fund shall be maintained to cover the costs of replacement and repair.
- c. The association shall be managed and maintained by a professional property management company.
- d. Provisions for towing unauthorized vehicles from the site
- e. A requirement that a Homeowners' Association Architectural Review Committee be established to review and approve all exterior improvements; including fences, walls or changes to individual homes to ensure consistency with the CC&Rs.
- f. The site shall be maintained in good repair, and free of debris at all times.
- g. A requirement that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of inspection or within 48 hours of notification by the City's community Preservation Officer.
- h. The homeowners' association shall maintain the irrigation system and maintain the landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within 10 days.

- i. Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the common area at the expense of the homeowners association per Section 10-3.385 of the Subdivision Ordinance.
- j. A tree removal permit is required prior to the removal of any tree with a diameter of 10-inches or larger.
- k. Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.
- l. Each resident shall participate in the City's recycling program.

Subdivision Agreement

- 30. Execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

DURING CONSTRUCTION

- 31. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Director of Community and Economic Development/Planning Director or City Engineer:
 - a. Grading and construction activities shall be limited to the hours 8:00 AM to 5:00 PM on weekdays; there shall be no grading or construction activities on the weekend or national holidays;
 - b. Grading and construction equipment shall be properly muffled;
 - c. Unnecessary idling of grading and construction equipment is prohibited;
 - d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
 - e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
 - f. The developer shall participate in the city's recycling program during construction.

- g. Daily clean up of trash and debris shall occur on C Street, Atherton Street, BART's adjacent driveways and the City Plaza;
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
- r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;

ATTACHMENT E

- s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
 - t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "*Building Maintenance/Remodeling*" flyer for more information;
 - u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
 - v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
32. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
33. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

34. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
- a. Supplemental Building Construction and Improvement Tax;
 - b. School Tax; and
 - c. Park Dedication in-lieu fees for each unit.
 - d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
35. Any damaged curb, gutter and/or sidewalk along the Valle Vista Avenue and Dixon Street property frontages shall be repaired or replaced to the satisfaction of the City Engineer.

36. A reduced pressure backflow preventer shall be installed behind the water meter per City of Hayward Standard Detail 202.
37. Prior to granting occupancy, water services shall be installed by City crews at the developer's expense. The application for water services shall be presented to the City Inspector.
38. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
39. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
40. The street light electroliers shall be in operating condition as approved by the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

41. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
42. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
43. An AC overlay along the Valle Vista Avenue and Dixon Street frontages may be required by the City Engineer, if it is determined that it is necessary due to deterioration resulting from heavy traffic during the construction.
44. The improvements associated with the Pacific Gas and Electric Company, Pacific Bell Company and TCI Company shall be installed to the satisfaction of the respective companies.
45. The subdivider shall submit an "as built" plan indicating the following:
 - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, Pacific Bell facilities, TCI, etc; and
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.